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BA4/27/04

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Akira OHMURA

Group Art Unit: 2612

Application No.: 09/655,917

Examiner: R. Tillery

Filed: September 6, 2000

Docket No.: 107013

For: DIGITAL CAMERA CAPABLE OF EMBEDDING AN ELECTRONIC
WATERMARK INTO IMAGE DATA

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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APR 23 2004

Sir:

Technology Center 2600

In reply to the March 24, 2004 Election of Species Requirement, Applicant provisionally elects the Species of Figure 3, with traverse. Applicant respectfully submits that claims 1 and 5-13 read on the species of Figure 3. As indicated in the Election of Species Requirement, claim 1 is generic.

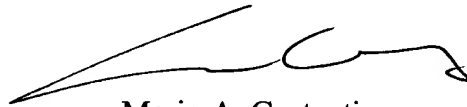
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It is also respectfully submitted that the subject matter of all species are sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is

respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



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MAC:GXL/sqb

Date: April 21, 2004

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